

## **Purpose**

To make provisions for the effective control and maintenance of junkyards that are within 1000 feet of the right-of-way of an Interstate or Federal-Aid Primary Highway System whether visible or not.

To establish the procedure and to place responsibility for the control and the issuance of new or renewal licenses for junkyards.

To establish the procedure and to place responsibility for licensing the enlargement or establishment of junkyards.

## **Policy**

Junkyards that are existing on or before May 9, 1967, or to be located in legally zoned industrial areas, or unzoned industrial areas are to be controlled by the issuance of annual Junkyards that are existing on or before May 9, 1967, or to licenses and must meet the appropriate screening criteria when required by the Utah Junkyard Control Act and the Utah Department of Transportation Regulations.

Junkyards established and maintained after May 9, 1967, in areas zoned other than industrial are illegal and must be removed from the controlled area by the owners.

Junkyards located in controlled areas zoned other than industrial prior to May 9, 1967, are nonconforming and are subject to control by the issuance of the annual license. These nonconforming junkyards are eligible for assistance in vision-proof screening, relocation to a properly zoned area, or for removal in accordance with the provisions of the Utah Junkyard Control Act, Section 27-12-137.1 through 27-12-137.13, Utah Code Annotated, 1953, as amended.

Effective Control means that a controlled junkyard shall be:

1. Licensed by the Utah Department of Transportation.
2. Be screened so that the contents of the junkyard are not visible from the main traveled way of the controlling highway on a year around basis.
3. Relocated outside of the controlled area.
4. Removed or disposed of in its entirety.

The control shall be through the application of the Utah Junkyard Control Act and the Department Regulations promulgated under the Act. Enforcement shall be through each of the designated Region/District Permits Officers, with Statewide administration from headquarters.

Only those junkyards legally in existence on May 9, 1967, shall be licensed under the Utah Junkyard Control Act without meeting the requirements of industrial zoning, or screening. Also, those junkyards that are added to the controlled highway systems after May 9, 1967, due to the change of the highway designation as an Interstate or Federal-Aid Primary route.

After May 9, 1967, no new junkyards or enlargements of existing junkyards on a controlled highway shall be licensed until the industrial zoning and screening has been approved by the Department in accordance with the Utah Junkyard Control Act, and the Department Regulations.

Where only a portion of a junkyard lies within the 1,000 foot control area, the junkyard is subject to the controls of the Utah Junkyard Control Act and the Department Regulations.

## **Background**

The procedure was prepared by the Utah Department of Transportation Highway Beautification Coordinator.

## **Procedures**

### **Issuing a New or Renewal License for Junkyards in Existence Prior to May, 1967**

**UDOT 08A3-2.1**

**Responsibility:** Region/District Permits Officer

#### **Actions**

1. Makes determination of those junkyards established prior to May 9, 1967, on controlled highways coming under the Utah Junkyard Act of 1967, Sections 27-12-137.1 through 27-12-137.13; contacts the owner/operator of the business and explains the law and provides him with an application form (R-465) for a license.
2. If the junkyard is to be established or required to be controlled due to changed route designation after the law became effective, notify the Region Director/District Engineer in writing explaining all the facts.

**Responsibility:** Applicant

3. Completes the license application, Form R-465 and signs the area indicating that he has received a copy of the Utah Department of Transportation Regulations and the Utah Law and that the applicant statement is true; returns the application to the Region/District Permits Officer with the proper fee for a junkyard license.

**Responsibility:** Region/District Permits Officer

4. If the application is properly completed by the applicant, submits the application and pertinent information to the Region Director/District Engineer for his consideration and approval or disapproval; takes three photographs that adequately indicate the junkyard in its entirety along the controlled highway.

**Responsibility:** Region Director/District Engineer

5. Checks the application and takes appropriate action; returns it to the Region/District Permits Officer for his action.

**Responsibility:** Region/District Permits Officer

6. If the application is approved by the Region Director/District Engineer, follows the instructions given, makes out receipt for license fee, and prepares a junkyard inventory Form R-191.

7. If a junkyard owner has failed to renew a license by January 1 of each year, as required by Utah Law, notifies the Region Director/District Engineer in writing giving all the facts and recommends action to obtain compliance.

**Responsibility:** Region Director/District Engineer

8. Reviews the facts and instructs the Region/District Permits Officer of action to be taken to obtain compliance with the law; notifies Highway Beautification Coordinator in writing of this action; keeps the Highway Beautification Coordinator informed of the progress and conclusions of any violation actions.

**Responsibility:** Region/District Permits Officer

9. Proceeds in accordance with the Region Director/District Engineer's instructions and keeps him informed in writing of all corrective actions.

10. In the event court action is necessary to obtain compliance, proceeds to file a complaint against the junkyard owner or operator in accordance with the procedure for filing complaints in the courts; sends copies of such action to the Highway Beautification Coordinator for his file.

**Licensing the Enlargement of or Establishment of Junkyards**  
**After May 9, 1967**

**UDOT 08A3-2.2**

**Responsibility:** Applicant

**Actions**

1. Submits a request in writing to the Region Director/District Engineer for a license to establish a junkyard or to enlarge a licensed junkyard controlled under Section 27-12-137.1 through Section 27-12-127.13 of the Utah Junkyard Control Act.
2. Also, provides with his request a description (plot plan) of the area by metes and bounds, the style or type of screening or fencing, including maintenance, and the time for completion of the construction as may be approved by the Department.

**Responsibility:** Region Director/District Engineer

3. Reviews the request and instructs the Region/District Permits Officer to check the request as to zoning and other pertinent facts and to take three photographs of the area and/or the existing junkyard.

**Responsibility:** Region Director/District Engineer

4. Follows the instructions of the Region Director/District Engineer and prepares a report in writing.

**Responsibility:** Region Director/District Engineer

5. Reviews the report and prepares a memorandum of recommendation for approval or disapproval of the applicant's request, stating the facts and reasons for his recommendation.
6. Transmits the recommendation to the Region/District Permits Officer for further action.
7. Instructs the Region/District Permits Officer to act in accordance with the decision of the Department.

**Responsibility:** Region/District Permits Officer

8. If the junkyard enlargement or establishment is approved, immediately notifies the applicant of the requirements for obtaining a proper license or to enlarge the currently licensed junkyards.

**Responsibility:** Applicant

9. Completes the licensing application, Form R-465, and returns it to the Region/District Permits Officer with the proper fee.

**Responsibility:** Region/District Permits Officer

10. If the application form is properly completed, submits it and all pertinent information to the Region Director/District Engineer for consideration and approval or disapproval; take three photographs showing the junkyard in its entirety along the controlled route.

**Responsibility:** Region Director/District Engineer

11. Checks the application form and takes appropriate action; returns it to the Region/District Permits Officer for his action.

**Responsibility:** Region/District Permits Officer

12. If the application is approved by the Region Director/District Engineer, follows the instructions given, completes a receipt for the amount of fee; and prepares a junkyard inventory R-191.
13. Makes proper distribution of the collected fees; sends the completed application and the junkyard inventory with a photograph to the Region/District Permits Officer for his action and license issuance.
14. Checks the application and junkyard inventory forms and, if proper, issues a current junkyard license, records the license number in the license log book, indicates the license number on the appropriate forms and files the white application form and the copy of the junkyard inventory form.
15. Returns the license to the Region Director/District Engineer for further action.

**Responsibility:** Region Director/District Director

16. Upon receipt of the junkyard license, instructs the Region/District Permits Officer accordingly.

**Responsibility:** Region/District Permits Officer

17. Follows the Region Director/District Engineer's instructions for transmitting the license to the junkyard owner.
18. Keeps the Region Director/District Engineer advised of the Department requirements for approving the license for the conforming junkyard or the expansion of an existing junkyard.

**Responsibility:** Region Director/District Engineer

19. Keeps the Region/District Permits Officer advised in writing of the status of final approval of the Department's conditions for the license or of any action he deems necessary to obtain compliance with the Department's conditions.

**Responsibility:** Region/District Permits Officer

20. Relies the final or other report of the Region Director/District Engineer and takes appropriate action.